

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment to the most recent claims filed on September 15th, 2009, was given in a telephone interview with Mr. Steven Grossman on January 6th, 2010.

2. The application has been amended as follows:

Cancel Claims 1-15

Insert Claims 16-29 as follows:

16. (New) A container having a wall, especially a bucket or similar, comprising an opening, which is oriented upwards and which can be closed by a cover, and a peripheral container edge, which is drawn outwards in a downward direction on the container wall, where the cover is detachably connected to the container and where said container edge includes at least one tongue-like element, wherein said at least one tongue-like element comprises a recess and said container edge comprises an edge projection that engages said recess, characterized in that said at least one tongue-like element supports the cover in such a way that at least one part of the cover is raised when said at least one tongue-like element is pivoted away from a starting position on the container

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wall, characterized in that said at least one tongue-like element engages said container edge from behind with at least one part of said at least one tongue-like element, wherein said at least one part of said at least one tongue-like element is covered by at least one part of said edge projection of said container edge, said at least one part of said at least one tongue-like element can be guided outwards, in front of said container edge, when said at least one tongue-like element is pivoted away from the starting position such that said at least one part of said at least one tongue-like element is visible to a user of said container after said pivoting, and thereafter said at least one part of said at least one tongue-like element cannot be guided back behind said container edge when said at least one tongue-like element is pivoted back towards its starting position.

17. (New) The container according to Claim 16, characterized in that said part of said at least one tongue-like element is designed as an integral part of said at least one tongue-like element.

18. (New) The container according to Claim 16, characterized in that said part of said at least one tongue-like element can be deformed or broken open during the pivoting movement of said at least one tongue-like element.

19. (New) The container according to claim 16, characterized in that edge projection is provided with tongue that is engaged by said at least one part of said at least one tongue-like element from behind.

20. (New) The container according to Claim 16, characterized in that a predetermined breaking line is located in the area of said at least one tongue-like element engaging tongue from behind.

21. (New) The container according to Claim 16, characterized in that webs partially overlapping said recess are located on the side of said at least one tongue-like element facing said container wall as parts of said at least one tongue-like element between said edge projection and said container wall.

22. (New) The container according to Claim 16, characterized in that said at least one tongue-like element is connected to edge projection by breakable links.

23. (New) The container according to Claim 16, characterized in that said at least one tongue-like element is connected to the container edge by breakable links.

24. (New) The container according to Claim 16, characterized in that parts of said at least one tongue-like element are provided on the lateral ends of said at least one tongue-like element, which engage the respective lateral ends of said container edge facing said at least one tongue-like element from behind.

25. (New) The container according to Claim 16, characterized in that ribs are provided between the side of said at least one tongue-like element facing container wall and container wall to impede a pivoting movement towards container wall.

26. (New) The container according to Claim 16, characterized in that a downward-facing edge side of said at least one tongue-like element stands back relative to a lower end of said container edge drawn downwards on said container wall.

27. (New) The container according to Claim 16, characterized in that said at least one tongue-like element displays at least one operating hole for performing the pivoting movement.

28. (New) The container according to Claim 16, characterized in that a side of said at least one tongue-like element facing away from said container wall displays a textured surface.

29. (New) The container according to Claim 16, characterized in that at said at least one part of said at least one tongue-like element located on said at least one tongue-like element displays a mark that is at least partly covered by an area of container edge when tongue-like element is in its starting position.

DETAILED ACTION

Allowable Subject Matter

3. Claims 16-29 are allowed.
4. The following is an examiner's statement of reasons for allowance: none of the prior art of record nor the prior art reviewed during the Examiner's search, in combination with the other limitations of the claim(s), disclosed a container wherein said at least one tongue-like element comprises a recess and said container edge comprises an edge projection that engages said recess, characterized in that said at least one tongue-like element supports the cover in such a way that at least one part of the cover is raised when said at least one tongue-like element is pivoted away from a starting position on the container wall, characterized in that said at least one tongue-like element engages said container edge from behind with at least one part of said at least one tongue-like element, wherein said at least one part of said at least one tongue-like element is covered by at least one part of said edge projection of said container edge, said at least one part of said at least one tongue-like element can be guided outwards, in front of said container edge, when said at least one tongue-like element is pivoted away from the starting position such that said at least one part of said at least one tongue-like element is visible to a user of said container after said pivoting, and thereafter said at least one part of said at least one tongue-like element cannot be guided back behind said container edge when said at least one tongue-like element is pivoted back towards its starting position. Furthermore, based on the prior art searched, it would not have been obvious to modify or combine existing container and

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cover structure and their corresponding relationships and functions in order to meet the limitations disclosed by the applicant.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NED A. WALKER whose telephone number is (571)270-3545. The examiner can normally be reached on Monday - Friday 7:30 AM - 5:00 PM EST.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Stashick can be reached on 571-272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Anthony Stashick/
Supervisory Patent Examiner, Art
Unit 3781

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